

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF MARCH 11, 2005

(Published March 19, 2005, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

March 11, 2005 - 9:30 a.m.

Council President Ostrow in the Chair.

Present - Council Members Schiff, Zerby, Johnson Lee, Niziolek, Benson, Goodman, Lane, Samuels, Johnson, Colvin Roy, Zimmermann, President Ostrow.

Absent - Lilligren.

Benson moved adoption of the agenda. Seconded.

Adopted upon a voice vote 3/11/05.

Benson moved acceptance of the minutes of the regular and adjourned meetings held February 25, 2005. Seconded.

Adopted upon a voice vote 3/11/05.

Benson moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 3/11/05.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270254)

Sale of Property at 5114 Irving Av N: Authorize sale of property to Habitat for Humanity for \$1 subject to conditions.

Denial of Sale of Property at 2025 James Av N: Deny sale to Ramdan Homes, Inc. for purchase offer of \$19,200.

Sale of Property at 2413 13th Av S: Authorize sale of property to Prima Land, Inc. for \$2,300 subject to conditions.

Target Center Arena Diffuser Contract: Change order increasing contract with Gen Con Construction.

Subordination of Loan with Intermedia Arts of Minnesota: Request to subordinate City loan so that second mortgage can be secured for property upgrades.

Affordable Housing Trust Fund Loan to Central Community Housing Trust: Approve loan for rehabilitation of property at 1822 Park Av S.

HEALTH AND FAMILY SUPPORT SERVICES (270255)

Community Development Block Grant (CDBG) Public Service Funding: Approve allocation of Public Service funding as recommended by the Public Health Advisory Committee.

MAYOR (270256)

Appointments to Minneapolis Public Housing Authority Board: Concur with Mayoral appointment of Elizabeth Ryan and Mark Manabeck.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (270257)

Department of Employment and Economic Development (DEED) Grants: Accept environmental remediation grants for Hiawatha Commons Project at 2301 E 28th St and Riverview Homes Project at 2211, 2225, 2313 W River Parkway and 70 22nd Av N.

Metropolitan Council Livable Communities Tax Base Revitalization Account Grants: Accept pollution remediation grants for 45th & Chicago Av, Hiawatha Commons, Riverview Homes and St. Anthony Mills.

Mortgage Foreclosure Prevention Program: Approve CDBG grant to continue program activities.

HEALTH AND HUMAN SERVICES:

HEALTH AND FAMILY SUPPORT SERVICES (270258)

Public Health Emergency Preparedness: Quarterly Update.

HEALTH AND HUMAN SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (270259)

Senior Citizen Advisory Committee: Approve Mayoral and City Council reappointments/appointments: Bernadine Jaffe, Mary Ann Blade, Terry Diebold, Elana Gravitz, Thomas Leavy, Monica Lewis, Kenneth Moritz, Clarence Tate, and Clarissa Walker.

INTERGOVERNMENTAL RELATIONS:

COUNCIL MEMBER LILLIGREN (270260)

Mpls American Indian Center (1530 E Franklin Ave): Hennepin County Transit Oriented Development grant application.

INTERGOVERNMENTAL RELATIONS (See Rep):

COUNCIL MEMBER ZERBY (270261)

University of Minnesota Gopher Football Stadium Proposal: Letter of Agreement re environmental process; Resolution authorizing LOA.

INTERGOVERNMENTAL RELATIONS (270262)

2005 Federal Agenda for City of Mpls.

Impaired Waters Legislation: City position.

REGULATORY SERVICES (270263)

Lower St Anthony Falls Hydro Project: Support extension of State of Minnesota Renewable Energy Tax Credit.

PUBLIC SAFETY AND REGULATORY SERVICES:

LICENSES AND CONSUMER SERVICES (270264)

Joe's Tavern (109 E 26th St): Consider revocation of 3.2% Beer License for failure to comply with business license management requirements and TAC Agreement.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

INSPECTIONS DEPARTMENT (270265)

Rental Dwelling License at 3438 1st Av S: Issue license to Mark Bonneville, 6700 Wood Edge Rd, Mound, subject to driveway being surfaced by July 1, 2005.

Chapter 249 Property at 4601 Colfax Av N: Approve demolition.

LICENSES AND CONSUMER SERVICES (270266)

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (270267)

The Popcorn Box (250 2nd Av S): Grant Food Manufacturer License, subject to conditions.

Tonic of Uptown (1400-02 W Lake St): Approve new corporate manager; Grant renewal of On-Sale Liquor Class B with Sunday Sales License; Approve change of assumed name to be operated as "Stella's Fish Cafe" and "Prestige Oyster Bar"; Grant application of Stella's Fish Cafe and Prestige Oyster Bar for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions; Approve new business plan; Rescind PS&RS Report passed August 20, 2004 authorizing a hearing to be held before an Administrative Law Judge with respect to taking adverse action against the Liquor License; and Approve Technical Advisory Committee recommendations relating to On-Sale Liquor Class B with Sunday Sales License held by Tonic of Uptown.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

POLICE DEPARTMENT (270268)

Bomb Squad Vehicle: Amend grant agreement with Minnesota Department of Public Safety to extend grant period to allow for production and delivery of new bomb response vehicle.

Minnesota Violent Crime/Fugitive Task Force: Execute agreement with FBI to pay overtime expenses necessary for detection, investigation and prosecution of crimes against the United States.

Police Personnel Interchange with State of Minnesota: Execute Interchange Agreement with Minnesota Department of Corrections to allow Minneapolis police officers to be assigned to Minnesota Fugitive Apprehension Unit for a 90-day assignment period, with City to be responsible for officers' salary and State responsible for supervision and liability.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (270269)

Downtown Minneapolis Transportation Management Organization (TMO): Receive and File Commuter Choice Awards Recognition.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (270270)

Bridal Veil Falls Area Study Feasibility Report: Accept report and approve Option A.

Transportation Management Organization (TMO) Executive Committee: Appoint members.

29th St W Reconstruction Project: Resolution a) designating location of project; b) receiving cost estimate and list of benefited properties; c) directing City Engineer to prepare proposed assessments; and d) setting Public Hearings.

2005 Alley Resurfacing Program, No. FS05#1: a) Resolution designating alleys to be improved; b) receive cost estimate and list of benefited properties; and c) set Public Hearing.

Public Works Asphalt Plant Update: Receive and file update and authorize RFP for Joint Asphalt Plant.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (270271)

Minnesota Department of Transportation (MnDOT) Lease Agreements: Amendment to existing lease and authorize new lease for I-394 under-bridge areas.

Railroad Crossing Safety Projects: Resolution adding projects to 2005-2009 Capital Improvement Program at intersections of Soo Line Railroad and Johnson St NE, McKinley St NE, and Benjamin St NE, and authorizing required agreements.

Minneapolis Ten-Year Transportation Plan: Authorize consultant selection agreement with MnDOT regarding funding.

Bids: a) OP #6379, bid of Midwest Diesel Service, Inc. to furnish OEM Crane Carrier parts and service; b) OP #6381, bids of Robert Innes, Jr. Scott Innes, Hugstad Vaa Contracting, and Ron L. Gunderson Concrete to furnish rental of skid steer loaders with operator; c) OP #6384, bid of AVR, Inc. to furnish and deliver ready mix concrete; d) OP #6388, bid of L.S. Black Constructors, Inc. to furnish all labor, materials, equipment, and incidentals to complete Nicollet Mall Site Improvements; and d) OP #6389, bid of Intex to furnish labor, materials, equipment, and incidentals for crushing rubble concrete.

WAYS AND MEANS BUDGET:

COORDINATOR (270272)

New Central Library Project: Change Management Actions.

PURCHASING (270273)

Staff Purchasing Letters.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (270274)

Legal Settlements: Charles Halvorson and Dream Home Development, LLC.

BUSINESS INFORMATION SERVICES (270275)

Bid for PBX equipment: Accept bid of Norstan Communications, Inc.

BIS Master Contract: Approve issuance for 5 year period.

COMMUNICATIONS (270276)

Utility Bill Insert: Housing Resource Center message.

Minneapolis Telecommunications Network (MTN) Appointment to Board of Directors: Kevin L.A. Jenkins.

FINANCE DEPARTMENT (270277)

Refund of General Obligation Bonds for Savings.

HUMAN RESOURCES (270278)

AFSCME Local #9, 9-1-1 Unit Labor Agreement.

WAYS AND MEANS BUDGET and ZONING AND PLANNING (See Rep):

ARTS COMMISSION (270279)

Nesjar Ice Fountain (Nicollet Mall location): Approve deaccession of artwork, to be donated to the City of Maplewood; Authorize contract between cities.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (270280)

The Minneapolis Plan: Text amendment to add the principles of sustainability as a factor in City decision making.

PLANNING COMMISSION/DEPARTMENT (270281)

Waiver: Tom Hall (re Creative Innovations Investments LLC, 1509 Fremont Ave N): Withdrawal of application re N Mpls construction moratorium.

ZONING AND PLANNING (See Rep):

ARTS COMMISSION (270282)

Northeast Neighborhood Gateway (vicinity of Central & Broadway Aves): Approve deaccession of original artwork; Approve donation of restored individual elements to Mpls community groups.

HERITAGE PRESERVATION COMMISSION (270283)

Appeal: Scott Walters Construction & Robert Wengler (re Amos B Coe House, 1700-3rd Ave S): Re Certification of Appropriateness for replacement of porch.

PLANNING COMMISSION/DEPARTMENT (270284)

Waiver:

D. Carter (re Tradewinds Concepts, 1418 Vincent Ave N): Application re N Mpls construction moratorium.

Real Estate Transactions: Waiver of Planning Commission review for certain real estate transactions not included in redevelopment plans.

Rezoning:

Gregory Peterson (re Peter's Billiards, 6181 Aldrich Ave S).

Vacations:

Chicago Commons Corp (2401, 2409, 2413, 2417 Chicago Ave S & 2408, 2414 Elliot Ave S): Rescind Council action of 7/23/04 due to incorrect legal description.

Committee on Urban Environment: Report on relationship of the City to CUE.

FILED:

CITY CLERK/SPECIAL PERMITS (270285)

West Bank of Mississippi River, North of Broadway Ave Bridge (Twin Cities River Rats Water Ski Show) use of land;

Central Ave, 3651 (DanGinkel) sign for City County Federal Credit Union.

The following reports were signed by Mayor Rybak on March 17, 2005, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing the sale of the property at 5114 Irving Av N to Twin Cities Habitat for Humanity, Inc. for \$1, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of City Council approval; and
- 2) Payment of holding costs of \$150.00 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the CPED Director.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-118, authorizing the sale of 5114 Irving Av N, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-118

By Goodman

Authorizing sale of land Humboldt Greenway Disposition Parcel No HG 6-4

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel HG 6-4, in the Shingle Creek neighborhood, from Twin Cities Habitat for Humanity, Inc., hereinafter known as the Redeveloper, the Parcel HG 6-4, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

Lot 10, Block 1, Thorpe Bros. Maple Leaf Addition to Minneapolis.

Whereas, the Redeveloper has offered to pay the sum of \$1.00, for Parcel HG 6-4 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on February 18, 2005, a public hearing on the proposed sale was duly held on March 1, 2005, at the regularly scheduled Community Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Humboldt Greenway plan, as amended, is hereby estimated to be the sum of \$1.00 for Parcel HG 6-4.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate City official of the City.

Adopted 3/11/05.

Absent - Lilligen.

Comm Dev - Your Committee, having under consideration sale of the property at 2025 James Av N subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from the date of approval;
 - 2) Payment of holding costs of \$150.00 per month from the date of approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval;
 - 3) Sale conditions may be waived or amended with the approval of the CPED Director;
- now recommends that the offer of Ramdan Homes, Inc. to purchase said property for \$19,200 be denied.

Adopted 3/11/05.

Absent - Lilligen.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing the sale of the property at 2412 13th Av S to Prima Land, Inc. for \$2,300, subject to the following conditions:

- 1) Land sale closing must occur on or before 30 days from date of City Council approval; and
- 2) Payment of holding costs of \$150.00 per month from the date of City Council approval if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the CPED Director.
Adopted 3/11/05.
Absent - Lilligren.

Resolution 2005R-119, authorizing the sale of 2412 13th Av S, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-119
By Goodman

Authorizing sale of land Disposition Parcel No MC 127-27B

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase the Disposition Parcel MC 127-27B, in the Model City neighborhood, from Prima Land, Inc., hereinafter known as the Purchaser, the Parcel MC 127-27B, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

Legal Description

Lot 3, except the South 12 feet and the North 30.5 feet thereof, Block 4, Gales 1st Addition to Minneapolis,

Whereas, the Purchaser has offered to pay the sum of Two Thousand Three Hundred and No/100 Dollars (\$2,300.00), for Parcel MC 127-27B, to the City for the land; and

Whereas, the Purchaser has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has determined the offer of Two Thousand Three Hundred and No/100 Dollars (\$2,300.00) to purchase the Parcel to be reasonable; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the City's accepted methods in determining a re-use value for the Parcel; and

Whereas, the City's Real Estate Disposition Policy provided in Section 2.2.13 for the sale of land for sideyard; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on February 18, 2005, a public hearing on said proposal and proposed sale and the provisions thereof, was duly held on March 1, 2005, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota; and

Whereas, the MCDA December 13, 1993, by its Resolution No. 93-1097M authorized the sale of Parcel MC 127-27B to James Schlender and Rhonda Schlender; and

Whereas, James Schlender and Rhonda Schlender have withdrawn their offer to purchase and the City has determined to rescind its authority to sell the parcel to James Schlender and Rhonda Schlender;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the action taken by the MCDA in its Resolution No 93-1097M, authorizing the sale of Parcel MC 127-27B to James Schlender and Rhonda Schlender be rescinded.

That the re-use value for the MC 127-27B is hereby estimated to be the sum of Two Thousand Three Hundred and No/100 Dollars (\$2,300.00).

Be It Further Resolved that the acceptance of the offer and Purchaser's proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Purchaser possesses the qualifications and financial resources necessary to acquire and maintain the Parcel in accordance with the contract for the sale of land.

Be It Further Resolved that the offer is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Purchaser; provided, however, that this Resolution

does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Purchaser in accordance with the provisions of the executed contract and upon payment to the City of the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 3/11/05.

Absent - Lilligren.

Comm Dev - Your Committee recommends approval of a change order to the Target Center Arena Diffuser Contract (#20613) with Gen Con Construction, increasing the contract by \$1,195 to repair a non-functional motorized smoke control damper and to extend the contract completion date through May 31, 2005.

Adopted 3/11/05.

Absent - Lilligren.

Comm Dev - Your Committee recommends concurrence with the Mayor in the following appointments to the Minneapolis Public Housing Authority Board of Commissioners, both for terms to expire on January 31, 2008:

a) Elizabeth Ryan (Mayoral appointee), to fill the expired term of William Gabler who did not seek reappointment;

b) Mark Manbeck (Mayoral appointee), reappointment.

Adopted 3/11/05.

Absent - Lilligren.

Comm Dev - Your Committee, having under consideration a request from Intermedia Arts of Minnesota that the City subordinate its interest in a loan the City holds on their property at 2822 Lyndale Av S to allow them to secure additional loan funds for upgrade of said property, now recommends approval of said request to subordinate the City's loan to a new \$200,000 second mortgage loan from Western Bank.

Adopted 3/11/05.

Absent - Lilligren.

Comm Dev - Your Committee recommends approval of a loan of \$300,000 in 2004 Affordable Housing Trust Funds (AHTF) to Central Community Housing Trust, or an affiliated entity, to be used for rehabilitation work on the property at 1822 Park Av S.

Adopted 3/11/05.

Absent - Lilligren.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having been informed that the City has been awarded Contamination Cleanup Grant funds from the Minnesota Department of Employment and Economic Development to be used for environmental remediation, now recommends acceptance of the following grants:

a) \$267,375 for the Hiawatha Commons Project at 2301 E 28th St; and

b) \$477,228 for the Riverview Homes Project at 2211, 2225 and 2313 W River Parkway and 70 22nd Av N.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation and revenue for the Community Planning and Economic Development (CPED) Department to reflect the receipt of said grant funds.

Further that the proper City officers be authorized to execute grant, subrecipient, and/or disbursement and related agreements for said grants.

Adopted 3/11/05.

Absent - Lilligren.

RESOLUTION 2005R-120
By Goodman and Johnson

Amending the 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue for the Community Planning and Economic Development Agency in the State Grants & Loans Fund (SMN0-890-8933) by \$744,603.

Adopted 3/11/05.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee, having been informed that the City has been awarded 2004 Metropolitan Council Livable Communities Tax Base Revitalization Account grant funds in the amount of \$493,522 for pollution remediation, now recommends acceptance of the following grants:

\$133,965, for the 45th and Chicago Av project (SG005-029);

\$46,345, for the Hiawatha Commons Project (SG005-021);

\$192,018, for the Riverview Homes Project (SG005-024);

\$121,194, for the St. Anthony Mills Project (SG005-025).

Your Committee further recommends passage of the accompanying resolution increasing the appropriation and revenue for the Community Planning and Economic Development (CPED) Department to reflect the receipt of said grant funds.

Further that the proper City officers be authorized to execute grant, subrecipient, and/or disbursement and related agreements for said grants.

Adopted 3/11/05.

Absent - Lilligren.

RESOLUTION 2005R-121
By Goodman and Johnson

Amending the 2005 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue for the Community Planning and Economic Development Agency in the State Grants & Loans Fund (SMN0-890-8490) by \$493,522.

Adopted 3/11/05.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee recommends approval of a grant in the amount of \$238,252 from the Community Development Block Grant Fund to the Community Planning and Economic Development (CPED) Home Ownership Program to support the ongoing activities of the

Mortgage Foreclosure Prevention Program and further that the proper City officers be authorized to execute any documents related to said grant.

Adopted 3/11/05.

Absent - Lilligren.

Comm Dev & W&M/Budget - Your Committee, having under consideration recommendations from the Public Health Advisory Committee for allocation of Community Development Block Grant (CDBG) Public Service Funds, now recommends passage of the accompanying resolution approving said recommendations.

Adopted 3/11/05.

Declining to vote - Colvin Roy.

Absent - Lilligren.

Resolution 2005R-122, approving the allocation of Community Development Block Grant Public Service Funds, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-122
By Goodman and Johnson

Approving the allocation of Community Development Block Grant (CDBG) Public Service Funds.

Resolved by The City Council of The City of Minneapolis:

That the City Council concurs with following recommendations of the Public Health Advisory Committee for allocation of CDBG Public Service Funds effective with Year 31:

Agencies Recommended through a Competitive Process	Amount
Carondolet LifeCare/St. Mary's Health Clinic	\$75,000
Children's Dental Services	\$11,000
Early Childhood Resource & Training Center	\$20,412
Lao Advancement Organization of America	\$50,000
Little Earth Residents Association	\$35,000
MELD	\$40,000
Mpls Medical Research Foundation/HCMC	\$45,000
Minneapolis Urban League	\$25,000
MPS Teenage Parenting & Pregnancy Programs	\$85,000
Native American Community Clinic	\$28,061
New American Community Services	\$50,000
Senior Block Nurse Program	\$66,000
Southside Community Health Services	\$50,000
West Side Community Health Services	\$40,000
YWCA of Minneapolis	\$30,000
Total (competitive)	\$650,473
Agencies Recommended as part of Maintaining Community Safety Net	Amount
Greater Minneapolis Daycare Association	\$142,500
Neighborhood Health Care Network	\$142,500
Total (non-competitive)	\$285,000
Total Year 31 Recommendations	\$935,473

Be It Further Resolved that the proper City officers be authorized to:

- a) Include said allocation recommendations in the City's 2005 Consolidated Plan to be sent to the Department of Housing and Urban Development;
- b) Execute contracts with the identified agencies for the listed amounts annually for the time period of June 1, 2005 through May 31, 2006 with a second year of funding (Year 32) authorized contingent upon funding and agency performance; and
- c) Amend CDBG Schedule 4 contained in the City General Budget Resolution to reflect said awards.

Adopted 3/11/05.

Declining to vote - Colvin Roy.

Absent - Lilligren.

The **HEALTH & HUMAN SERVICES** Committee submitted the following report:

H&HS - Your Committee recommends passage of the accompanying Resolution approving appointments and reappointments to the Senior Citizen Advisory Committee.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-123, approving appointments and reappointments to the Senior Citizen Advisory Committee, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-123

By Johnson Lee

Approving appointments and reappointments to the Senior Citizen Advisory Committee.

Resolved by The City Council of The City of Minneapolis:

That it recommends concurrence with the recommendations of the Mayor and City Council President to appoint and reappoint the following persons to serve on the Senior Citizen Advisory Committee to expire December 31, 2006:

Appointments

Bernadine Jaffe, 1314 44th Av N, representing Ward 4;

Reappointments

Mary Ann Blade, 18615 37th Av N, representing Minnesota Visiting Nurse Agency;

Terry Diebold, 3539 Holmes Av, representing Ward 10;

Elana Gravitz, 4553 34th Av S, representing Nokomis Healthy Seniors Program;

Thomas Leavy, 829 22nd Av SE, representing Ward 2;

Monica Lewis, 1423 NE 26th Av, representing Volunteers of America;

Kenneth Moritz, 2950 Dean Pkwy, representing Minnesota Board on Aging;

Clarence Tate, 3110 Blaisdell Av S, representing Member at Large;

Clarissa Walker, 3740 3rd Av S, representing Ward 8.

Adopted 3/11/05.

Absent - Lilligren.

The **INTERGOVERNMENTAL RELATIONS** Committee submitted the following reports:

IGR - Your Committee recommends that the City support a request on behalf of the Lower St.

Anthony Falls Hydroelectric Project to extend the State of Minnesota Renewable Energy Tax Credit scheduled to expire in December 31, 2005, to December 31, 2007.

Adopted 3/11/05.

Absent - Lilligren.

IGR - Your Committee, having under consideration the 2005 Federal Legislative Agenda for the City of Minneapolis, as set forth below and specifically described in Petn No 270262, now recommends that said agenda be forwarded without recommendation:

Economic and Community Development:

Community Development Block Grant

Empowerment Zone

Minnesota Planetarium & Space Discovery Center

Housing Programs

Public Safety and Emergency Response:

Homeland Security Block Grant

Emergency Operations Center

Reimbursement for Emergency Response

Automatic Vehicle Locator

Computer Aided Facility Management

Public Safety Programs: National Fire Academy and Federal Citizen Corps

Environment:

Airport Noise Mitigation

Combined Sewer Overflow

Transportation:

Twin Cities Transitways

Pedestrian Bridge Across Hiawatha Avenue: 46th Street Station

Above the Falls Trail Loop

Cedar Lake Trail

Midtown Greenway Streetcar

Health:

Twin Cities Healthy Start

Benson moved to amend the report as follows:

a) By approving a revised 2005 Federal Legislative Agenda document (Petn No 270262); and

b) By deleting the language "forwarded without recommendation" and inserting in lieu thereof "approved". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 3/11/05.

Absent - Lilligren.

IGR – Your Committee, having under consideration the issue of impaired waters legislation, now recommends that the City of Minneapolis support legislative efforts to create funding options to meet Federal Clean Water Act requirements, including:

a) Long term dedicated funding sources with some proportionality between where the funds are collected and where they are distributed.

b) Reimbursements for past efforts and infrastructure investments that have already been developed to help deal with impaired waters, including investments for wastewater facilities, storm water infrastructure and wetland restoration projects.

c) Credits for existing funding for water quality improvements paid by the City's residents and businesses via the levies of local watershed management organizations and portions of the City's storm water utility.

d) Fees that are relatively proportional to the impact caused by City residents, businesses and other sources to impaired waters.

e) Fair representation on advisory boards making recommendations for the distribution of new funds with some proportionality to the sources of those funds.

The City of Minneapolis opposes the current funding proposal that is regressive and inequitable. The City will actively support efforts to identify a better and workable plan.

Adopted 3/11/05.

Absent - Lilligren.

IGR – Your Committee, having under consideration the environmental review process for a proposed football stadium to be located on or adjacent to the east bank campus of the University of Minnesota within the City of Minneapolis, now recommends that the following be forwarded without recommendation:

a) Letter of Agreement acknowledging that the University of Minnesota should serve as the Responsible Governmental Unit charged with conducting the environmental review for the proposed Gopher Football Stadium, that it will pay for City infrastructure costs resulting from construction of a new stadium and memorializing other items of agreement relative to possible stadium construction, as set forth in Petn No 270261.

b) Resolution regarding a possible stadium project that authorizes the appropriate City Officials to enter into a Letter of Agreement.

Benson moved to amend the report by: a) approving a revised Letter of Agreement document (Petn No. 270261); and b) deleting the language “forwarded without recommendation” and inserting in lieu thereof “approved”. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-124, authorizing City officials to enter into a Letter of Agreement regarding a proposed University of Minnesota Gopher Football Stadium, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-124
By Ostrow, Zerby, Benson

Authorizing the appropriate City officials to enter into a Letter of Agreement regarding environmental review of a proposed Gopher Football Stadium.

Whereas, the University of Minnesota Board of Regents is engaged in initial planning efforts for the development of an on-campus football stadium; and

Whereas, the Board of Regents has affirmed guiding principles concerning a stadium, which include the principle to “promote physical and programmatic integration with the Twin Cities campus community and adjacent neighborhoods”; and

Whereas, the principles further state that “any stadium on campus will be designed, constructed and operated in a manner that is compatible with the University campus environment, master plan and the commercial and residential neighborhoods near the stadium site;” and “the University will seek to accommodate and respect the community and neighborhood needs during the planning process;” and

Whereas, the principles further state that “in accordance with its commitment to an open and inclusive planning process, the University will engage in a dialogue about stadium options with the University community, adjacent neighborhoods, local businesses, and other public agencies;” and

Whereas, consistent with those principles, the City of Minneapolis desires to ensure that significant environmental effects that could result from the construction of a stadium on the Twin Cities Campus are identified and analyzed, that appropriate alternatives are discussed and that methods by which the environmental and other significant effects of locating a stadium on the Twin Cities Campus can be

mitigated are considered prior to the time final decisions are made with respect to construction of the proposed stadium; and

Whereas, the University of Minnesota desires to establish a Technical Advisory Group comprised of representatives from the University, the University's environmental consultants and various governmental bodies including representatives from the Public Works and Community Planning and Economic Development Departments of the City of Minneapolis, for the purpose of consulting with each other about the stadium project and for reviewing plans that will be subject to governmental approval in the event that the stadium project moves forward; and

Whereas, the University has requested the Minnesota Environmental Quality Board to designate the University as the governmental unit responsible for conducting the environmental review in accordance with the legal requirements of the Minnesota Environmental Policy Act; and

Whereas, the University and City of Minneapolis desire to address these matters through the attached Letter of Agreement Regarding Environmental Review of the proposed Gopher Football Stadium;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the appropriate City of Minneapolis officials are hereby authorized to sign the Letter of Agreement regarding environmental review of proposed Gopher Football Stadium.

Be It Further Resolved that the Director of Public Works and the Director of Community Planning and Economic Development are hereby directed to designate the appropriate staff to participate in the Technical Advisory Group.

Be It Further Resolved that the City representatives on the Technical Advisory Group undertake a review of the anticipated impacts on or opportunities for the City and adjacent communities arising from the stadium project and to share their analysis and suggestions with the University, particularly as it relates to parking, traffic flow, land use, transit, air quality, lighting, noise, identification of alternatives, game day activities and economic impact.

Adopted 3/11/05.

Absent - Lilligren.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS - Your Committee, to whom was referred back by the City Council on February 25, 2005 a report relating to the application of 331 Club Inc, dba 331 Club, 331 13th Av NE, for an On-Sale Liquor Class C-2 with Sunday Sales License (change in ownership) to expire January 1, 2006, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 3/11/05.

Declining to vote - Benson.

Absent - Lilligren.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting the application of The Popcorn Box, 250 2nd Av S, for a Food Manufacturer License, subject to conditions.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-125, granting the application of The Popcorn Box, 250 2nd Av S, for a Food Manufacturer License, subject to conditions, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-125
By Niziolek

Granting the application of The Popcorn Box, 250 2nd Av S, for a Food Manufacturer License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Heena Patel Inc, dba The Popcorn Box, 250 2nd Av S, for a Food Manufacturer License (new business) to expire April 1, 2005, subject to the licensee not popping popcorn at this location until receiving approval from the City with regard to the mechanical exhaust system.

Adopted 3/11/05.

Absent - Lilligren.

PS&RS - Your Committee, having under consideration applications submitted by The Lakes Restaurant Inc, dba Tonic of Uptown, 1400-02 W Lake St, relating to its On-Sale Liquor Class B with Sunday Sales License, now recommends the following:

a. approval of a new corporate manager (idein, LLC, a wholly owned subsidiary of Parasole Restaurant Holdings.

b. renewal of the Class B Liquor License, to expire January 1, 2006.

c. approval to change the assumed name to be operated as "Stella's Fish Cafe" and "Prestige Oyster Bar"; and passage of the accompanying Resolution granting the application of The Lakes Restaurant Inc, dba Stella's Fish Cafe and Prestige Oyster Bar, 1400-02 W Lake St, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

d. approval of a new business plan (Petn No 270267).

e. that PS&RS Report passed August 20, 2004 by the City Council authorizing a hearing to be held before an Administrative Law Judge with respect to taking adverse action against the Liquor License be rescinded.

Further, passage of the accompanying Resolution approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Tonic of Uptown, 1400-02 W Lake St.

Adopted 3/11/05.

Declining to vote - Benson.

Absent - Lilligren.

Resolution 2005R-126, granting the application of The Lakes Restaurant Inc, dba Stella's Fish Cafe and Prestige Oyster Bar, 1400-02 W Lake St, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-126

By Niziolek

Granting the application of The Lakes Restaurant Inc, dba Stella's Fish Cafe and Prestige Oyster Bar, 1400-02 W Lake St, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by The Lakes Restaurant Inc, dba Stella's Fish Cafe and Prestige Oyster Bar, 1400-02 W Lake St, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire January 1, 2006, subject to the following conditions:

a. a valet parking service shall be offered continuously from at least 6:00 p.m. to closing time from the main entrance of the licensed business to the parking lot located at 3017 Holmes Av S with a minimum of 24 off-street parking spaces available for the valet service.

b. the licensee shall immediately cease all operations authorized by said license in the event that the parking lot at 3017 Holmes Av S shall become unavailable for valet parking use, and that the licensee shall continue to refrain from operations until such time as a replacement lot of like size has been obtained for use by the valet parking service.

c. the extension of the use of valet parking to satisfy off-street parking needs shall not be assignable to any successor to the Lakes Restaurant Inc or to any other subsequent applicant for an alcoholic beverage or entertainment licensee which might enter into a lease agreement for the premises without prior approval of the Minneapolis Department of Licenses & Consumer Services.

d. the licensee acknowledges that Section 360.100(c) of the Minneapolis Code of Ordinances permits the operation of an outdoor service bar only, and that patrons are not to be permitted to either place an order or to be seated at the outdoor bar.

e. the licensee shall not utilize the second and third floor banquet facilities during the 11:00 a.m. to 2:00 a.m. time period until such time as a permanent resolution to the lack of off-street parking accommodations during this time period is arrived at.

f. the licensee shall, from 6:00 p.m. until closing on Thursdays, Fridays and Saturdays, make provisions for access to no fewer than 50 additional valet-served off-street parking spaces.

g. that Class B entertainment as defined in Section 362.30 of the Minneapolis Code of Ordinances shall only be presented in conjunction with a bona fide private banquet, reception, event or the like and shall not be offered or made available to the general patronage.

h. the licensee, or its manager, shall at all times that a private banquet, reception, event or the like is being conducted, have a copy of the contract on hand for review by any police officer or duly authorized representative of the Director of the Licenses & Consumer Services Division.

i. the operating manager shall, on a monthly basis from the inception of operations until November 1, 2005, provide the Licenses & Consumer Services Division with a separate food to liquor sales breakdown for the rooftop area, the remainder of the public restaurant and of the private functions, which sales shall reflect substantial monthly progress toward compliance with the required "60/40" food to liquor sales standard, with full compliance no later than the fourth month of operation as Stella's Fish Cafe and Premier Oyster Bar.

j. that the licensee or its manager will not alter the approved floor plan without prior approval from the Licenses & Consumer Services Division.

k. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 3/11/05.

Declining to vote - Benson.

Absent - Lilligren.

Resolution 2005R-127, approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Tonic of Uptown, 1400-02 W Lake St, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-127

By Niziolek

Approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by Tonic of Uptown, 1400-02 W Lake St.

Whereas, the Licenses & Consumer Services Division held a Technical Advisory Committee hearing on April 28, 2004 with the licensee to discuss alleged violations of law relating to the operation of its licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations relating to License Inspectors having issued administrative

citations to Tonic for 1) prohibiting a premises for maintaining a bar area; 2) failure to maintain gross sales revenue from the sale of food and beverages not containing alcohol in an amount of not less than 60% of total gross revenue from the sale of food and beverages; 3) prohibiting a premises from maintaining a bar other than a service bar in an outdoor area; and d) failure to notify and gain approval by the City for a change of Tonic's business plan; and

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following TAC recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

a. that the Licenses & Consumer Services Division shall dismiss all of the above cited administrative citations, and Tonic shall withdraw its Court of Appeals action, with prejudice, as simultaneously as possible subsequent to the signing of the TAC Agreement.

b. that Tonic shall reimburse the City of Minneapolis, Department of Regulatory Services, in an amount of \$5,000 for investigative and administrative costs incurred.

c. that the City of Minneapolis will dismiss the adverse license action filed on November 9, 2004 and amended on February 5, 2005, pending before the Office of Administrative Hearings.

d. that the Management Agreement between the Premier Development Group, LLC and idein, LLC remain in effect for a period of not less than one year after City Council approval of the agreement.

Adopted 3/11/05.

Declining to vote - Benson.

Absent - Lilligren.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 3/11/05.

Declining to vote - Benson.

Absent - Lilligren.

Resolution 2005R-128, granting Liquor, Wine and Beer Licenses, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-128

By Niziolek

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted:

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2006

Al Di Sal Inc, dba Lounge, 411 2nd Av N (diminishment of premises);

On-Sale Liquor Class C-1 with Sunday Sales, to expire February 27, 2005

Raising the Bar LLC, dba Zeno, 2919 Hennepin Av (temporary expansion of premises February 27, 2005, 5:00 p.m. to 1:00 a.m. at LaSalle Plaza, 800 LaSalle Av);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2005

Wild Bohemians Inc, dba Keys at the Foshay Bar & Grill, 821 Marquette Av (change in ownership);

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2005

One Eyed Dog Ltd, dba Triple Rock, 629 Cedar Av S (internal transfer of shares);

Temporary On-Sale Liquor

Memorial Blood Centers, dba Memorial Blood Centers, 2304 Park Av (March 4, 2005, 6:00 p.m. to 10:00 p.m. at Open Book, 1011 Washington Av S; Licensed Facilitator: Dave Perkins Complete Beverage);

Temporary On-Sale Wine

Free Arts Minnesota, 4645 Orleans Ln, Plymouth (March 11, 2005, 6:00 p.m. to 9:00 p.m. at International Market Square);

Powderhorn Park Neighborhood Association, dba Powderhorn Park Neighborhood Association, 3509 Bloomington Av (March 12, 2005, 7:00 p.m. to 11:00 p.m. at 1516 E Lake St, 3rd floor);

Temporary On-Sale Beer

Church of the Ascension, dba St. Patrick's Day Dinner, 1723 Bryant Av N (March 19, 2005, 5:00 p.m. to 10:00 p.m. in cafeteria).

Adopted 3/11/05.

Declining to vote - Benson.

Absent - Lilligren.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Business Licenses.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-129, granting applications for Business Licenses, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-129

By Niziolek

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of March 11, 2005 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 270266):

Place of Amusement Class A; Car Wash; Dancing School; Dry Cleaner - Flammable; Dry Cleaner - Nonflammable; Dry Cleaning & Laundry Pickup Station; Laundry; Place of Entertainment; Fire Extinguisher Servicing Class A; Confectionery; Grocery; Food Manufacturer; Milk & Grocery Delivery Vehicle; Restaurant; Food Shelf; Short Term Food Permit; Gasoline Filling Station; Hotel/Motel; Motor Vehicle Dealer - Used Only; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Oil Burner Installer; Pet Shop; Plumber; Refrigeration Systems Installer; Rental Halls; Residential Specialty Contractor; Sign Hanger; Solid Waste Hauler; Tattooist/Body Piercer; Taxicab Service Company; Taxicab - Neighborhood Rideshare; Taxicab Vehicle; Taxicab Vehicle - Nontransferable; Medical Contract Carrier; Tobacco Dealer; Combined Trades; and Tree Servicing.

Adopted 3/11/05.

Absent - Lilligren.

PS&RS - Your Committee recommends passage of the accompanying Resolution granting applications for Gambling Licenses.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-130, granting applications for Gambling Licenses, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-130

By Niziolek

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Class B

Church of the Incarnation, dba Church of the Incarnation, 3801 Pleasant Av S
(Off Site Gambling, April 24, 2005 at Church of the Incarnation, 3817 Pleasant Av S);
Edison Community Sports Foundation, dba Edison Community Sports Foundation, 700 22nd Av NE
(Off Site Gambling, May 2, 2005 at Jax Cafe, 1928 University Av NE);

Gambling Lawful Exempt

Indianhead Scouting/BCA, dba Indianhead Scouting/BSA, 393 Marshall Av, St. Paul (Raffle February 18, 2005 at 2309 Garfield Av #1);
Children's Healthcare, dba Children's Healthcare, 2525 Chicago Av (Raffle April 21, 2005 at Vic's Dining, 201 Main St SE);
Pope John Paul II Catholic School, dba Pope John Paul II Catholic Church, 1630 4th St NE (Bingo, Raffle, Paddlewheel, Pulltabs & Tipboards April 23 & 24, 2005);
St. Olaf Catholic Church, dba St. Olaf Catholic Church, 215 S 8th St (Raffle May 22, 2005);
All Saints Catholic Church, dba All Saints Catholic Church, 435 5th St NE (Bingo March 20, 2005);
Cancer Benefit Fund, dba Cancer Benefit Fund, 7385 North Shore Cir, Forest Lake (Raffle April 16, 2005 at Radisson Plaza Hotel, 35 S 7th St);
Wamso-Minnesota Orchestra Volunteers, dba Wamso-Minnesota Orchestra Volunteers, 1111 Nicollet Mall (Raffle June 11, 2005 at The Depot, 225 3rd Av S);
Minnesota Fringe Festival, dba Minnesota Fringe Festival, 528 Hennepin Av (Raffle August 14, 2005 at Suburban World, 3050 Hennepin Av).
Adopted 3/11/05.
Absent - Lilligren.

PS&RS - Your Committee recommends passage of the accompanying Resolution approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by Escape, 600 Hennepin Av.

Adopted 3/11/05.
Declining to vote - Benson.
Absent - Lilligren.

Resolution 2005R-131, approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by Escape, 600 Hennepin Av, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-131

By Niziolek

Approving Technical Advisory Committee recommendations relating to the On-Sale Liquor Class A with Sunday Sales License held by Escape, 600 Hennepin Av.

Whereas, City staff from Police Licenses held a Technical Advisory Committee hearing on June 16, 2004 with the licensee to discuss alleged violations of law relating to its operation of a licensed beverage establishment; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations as a result of the TAC Hearing;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following TAC recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

a. the licensee shall pay the City of Minneapolis \$4,000 as reimbursement for the administrative and investigative costs involved with the TAC meeting process. Said payment will be made within 30 days after the effective date of the TAC Agreement.

b. consistent with its existing obligations under applicable law, the licensee will continue to use its best efforts to ensure that it does not serve any alcohol to minors, or serve alcohol to any individual who is obviously intoxicated. In the event that the licensee violated the prohibitions set forth in this paragraph, before the expiration of two months following approval by the City Council, its license shall be suspended for a period of two days. For purposes of this paragraph, a violation may only be proven by a criminal conviction or administrative adjudication establishing a violation of statute or ordinance, upheld after appellate review, if any, of the same.

c. the licensee agrees to maintain its current policy of structured orientation for its management, security personnel, and servers at the time of hiring, as well as ongoing training for management and employees in over-serving, management of alcohol consumption by patrons, and sales to underage persons, at least quarterly thereafter.

d. the licensee agrees to maintain its current policy of keeping underage individuals from gaining access to the area where alcohol is served by erecting a wall-to-wall glass partition and an additional age and identification check at the entrance to said area on those nights where individuals eighteen (18) years and older are allowed into Escape.

e. the licensee has implemented and agrees to maintain its electronic system to verify customers' age and identity at the main entrance to the premises. This electronic verification system will further assist Escape, its agents and employees, in detecting underage individuals who attempt to gain access to the premises.

f. the licensee agrees to maintain its current "do not admit" list to track those individuals who have caused problems on the premises and to share said list with the City upon request and reasonable notice.

g. the licensee has implemented and agrees to maintain its training for all of its management and security personnel at least quarterly regarding effective communications, recognizing the signs of impairment, dealing with impaired persons, use of force, and effective crowd control during all hours of operation and at closing time.

h. the licensee has made a presentation to the Bar and Restaurant Downtown Safety Council regarding over-serving and its impact on the Warehouse District hospitality industry.

i. in order to supplement Escape's existing training requirements, the licensee and Lieutenant Phil Hafvenstein, or another employee of the Minneapolis Police Department, has spoken to Escape's staff on the topic of responsible service of alcohol to patrons.

Adopted 3/11/05.

Declining to vote - Benson.

Absent - Lilligren.

PS&RS - Your Committee, having under consideration the rental dwelling license for the property located at 3438 1st Av S, and said license having been revoked by the City Council on February 16, 2001 for failure to meet licensing standards as set forth in the Minneapolis Code of Ordinances, now recommends that a rental dwelling license be issued to Mark Bonneville, 6700 Wood Edge Rd, Mound, subject to the driveway being surfaced by July 1, 2005.

Adopted 3/11/05.

Absent - Lilligren.

PS&RS - Your Committee, having under consideration the property located at 4601 Colfax Av N which has been deemed by the Director of Inspections to constitute a nuisance condition within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City Officers be authorized to raze said property legally described as Lot 15, Block 5, Camden Park Addition (PID #12-118-21-34-0097), in accordance with the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted 3/11/05. Yeas, 11; Nays, 1 as follows:

Yeas - Schiff, Zerby, Johnson Lee, Niziolek, Benson, Goodman, Lane, Samuels, Johnson, Colvin Roy, Ostrow.

Nays - Zimmermann.

Absent - Lilligen.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to amend the grant agreement with the Minnesota Department of Public Safety, Division of Emergency Management, to extend the grant period to allow for the production and delivery of a new bomb response vehicle for the Police Department.

Adopted 3/11/05.

Absent - Lilligen.

PS&RS & W&M/Budget - Your Committee, having under consideration the Police Department's participation in the Minnesota Violent Crime/Fugitive Task Force, now recommends that the proper City Officers be authorized to execute an agreement with the Federal Bureau of Investigation (FBI) to pay overtime expenses necessary for detection, investigation and prosecution of crimes against the United States during the period October 1, 2004 through September 30, 2005.

Adopted 3/11/05.

Absent - Lilligen.

PS&RS & W&M/Budget - Your Committee recommends that the proper City Officers be authorized to execute an Interchange Agreement with the Minnesota Department of Corrections to allow Minneapolis police officers to be assigned to the Minnesota Fugitive Apprehension Unit for a 90-day assignment period, effective March 1, 2005 through December 31, 2006. Further, that the City of Minneapolis will remain responsible for the officers' salary and benefits; the police officer will be fully supervised by the Minnesota Department of Corrections and will be considered a State employee for liability purposes.

Adopted 3/11/05.

Absent - Lilligen.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW - Your Committee, having under consideration the Bridal Veil Falls Area Study Feasibility Report, as set forth in Petn No 270270, exploring the options of replacing or removing the current East River Road Parkway Bridge over Bridal Veil Falls, now recommends acceptance of the Feasibility Report and approval of Option A, to replace the existing bridge.

Adopted 3/11/05.

Absent - Lilligen.

T&PW - Your Committee recommends passage of the accompanying Resolution appointing Transportation Management Organization (TMO) Committee members to serve three-year terms from June 8, 2004 through December 31, 2007, as recommended by the TMO Executive Committee.

Adopted 3/11/05.
Absent - Lilligren.

Resolution 2005R-132, approving appointments to the Transportation Management Organization (TMO), as recommended by the TMO Executive Committee, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-132
By Colvin Roy

Approving appointments to the Transportation Management Organization (TMO).

Resolved by The City Council of The City of Minneapolis:

That the following persons be appointed to the Transportation Management Organization, as recommended by the TMO Executive Committee, for three-year terms to expire December 31, 2007:

Richard Allendorf, Allendorf Commercial Real Estate, representing Development;

Charles Ferrell, Faegre & Benson, representing the Service Sector;

Carol Flynn, representing the Downtown Resident Sector;

Kevin Fossum, Wells Real Estate Funds, representing the Office Property Owners Sector;

Rollie Glessing, US Bank, representing the Banking Sector;

Jean Krause, Center Point Energy, representing the Utilities Sector;

Glenn Olson, representing the Downtown Council;

Greg Ortale, representing GMCVA & the Downtown Resident Sector;

Brian Pietsch, Amex Financial Advisors, representing the Financial Services Sector;

Nick Pearce, Target Corporation, representing the Retail Sector;

Sandy Colvin Roy, representing the Minneapolis City Council;

Pat Scott, representing the City Resident Sector;

Jerel Shapiro, Loop Parking, representing the Parking Sector;

James Vos, CRESA Partners, representing the Office Tenant Sector;

Peter Wagenius, representing the Mayor's Office; and

Kent Warden, BOMA, representing the Office Sector.

Adopted 3/11/05.

Absent - Lilligren.

T&PW - Your Committee, recommends passage of the accompanying Resolution designating the location and streets to be improved in the 29th St W Reconstruction Project, Special Improvement of Existing Street No. 2993.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-133, designating the location and streets to be improved in the 29th St W Reconstruction Project, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-133
By Colvin Roy

**29th Street West Reconstruction Project
Special Improvement of Existing Street Number 2993**

Designating the improvement of certain existing streets at the location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provision of Chapter 10, Section 6 of the Minneapolis City Charter, by paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

29th Street W between Fremont Avenue S and Emerson Avenue S, Dupont Avenue S and Colfax Avenue S and Bryant Avenue S to Lyndale Avenue S.

Adopted 3/11/05.

Absent - Lilligren.

T&PW - Your Committee, having received a cost estimate of \$705,000 for street reconstruction improvements and a list of benefited properties for the 29th St W Reconstruction Project, Special Improvement of Existing Street Number 2993, as designated by Resolution 2005R-133, passed March 11, 2005, now recommends that the City Engineer be directed to prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2005 Uniform Assessment Rates as set forth in Resolution 2005R-017 passed January 14, 2005.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on April 19, 2005.

Adopted 3/11/05.

Absent - Lilligren.

T&PW - Your Committee recommends passage of the accompanying Resolution designating the improvement of alleys in the 2005 Alley Resurfacing Program, Special Improvement of Existing Alleys No. FS05#1.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-134, designating the improvement of alleys in the 2005 Alley Resurfacing Program, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-134

By Colvin Roy

**2005 Alley Resurfacing Program
Special Improvement of Existing Alleys No. FS05#1**

Designating the improvement of the 2005 Alley Resurfacing Program (17 alleys located throughout the City of Minneapolis).

Resolved by The City Council of The City of Minneapolis:

That the following existing alleys within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 6 of the Minneapolis City Charter, by overlaying with bituminous material and including other related improvements and work as needed:

1. Between Pierce and Fillmore Sts NE from 29th to 30th Aves NE
2. Between Central Av NE and Tyler St NE from 29th to 30th Aves NE
3. Between 21st and 22nd Aves S. from 22nd St. E. and Franklin Av E
4. Between Van Buren St NE and Central Av NE from 37th Av NE to Columbia Parkway
5. Between Colfax and Dupont Aves N from 34th to 35th Aves N
6. Between Thomas and Sheridan Aves N from 14th to 16th Aves N
7. Between Blaisdell and Nicollet Aves S from 22nd St E to Franklin Ave E
8. Between Kenwood Pkwy and Queen Av S from 21st St W to Queen Av S
9. Between Clinton and 4th Aves S from 33rd to 32nd Sts E
10. Between 38th and 39th Aves S from 29th to 28th Sts E
11. Between Lagoon Av and Lake St W from James to Irving Aves S
12. Between Wentworth and Blaisdell Aves S from 47th to 48th Sts W
13. Between Minnehaha Pkwy E and 47th St E from 32nd to 33rd Aves S
14. Between 46th and 47th Aves S from 38th St E to Dowling St
15. Between 40th and 41st Aves S from 43rd St E South to midblock
16. Between Queen and Penn Aves S from 49th to 50th Sts W
17. Between Thomas and Sheridan Aves S from 51st to 52nd Sts W

Adopted 3/11/05.

Absent - Lilligren.

T&PW - Your Committee, having received a cost estimate of \$212,500 for alley resurfacing improvements and a list of benefited properties for the 2005 Alley Resurfacing Program, Special Improvement of Existing Alleys No FS05#1, as designated by Resolution 2005R-134 passed March 11, 2005, now recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on April 19, 2005.

Adopted 3/11/05.

Absent - Lilligren.

T&PW - Your Committee, having under consideration the Public Works Asphalt Plant Update, as set forth in Petn No. 270270, now recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for a Joint Venture Asphalt Plant.

Your Committee further recommends that Option 4, of the *Options for Consideration* in the Asphalt Plant Report, be amended to add the direction that staff shall contact other units of government to determine their asphalt demand schedules and explore possible partnership agreements.

Colvin Roy moved that the report be amended to delete the following language:

"Option 4, of the *Options for Consideration* in the Asphalt Plant Report, be amended to add the direction that." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 3/11/05.

Absent - Lilligren, Johnson Lee.

T&PW - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for professional training consultants to provide one-time driver/operator assessment and training and to establish standards to elevate proficiency, enhance safety, improve productivity, and reduce equipment maintenance costs. Funds are available within the current budget. (Petn No 270203)

Adopted 3/11/05.

Absent - Lilligren.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee recommends that the proper City officers execute Amendment 3 to Minnesota Department of Transportation (MnDOT) Agreement H05808, providing for

City use of MnDOT I-394 under-bridge land from October 1, 2003 through December 31, 2004, at a rental rate of \$1,161 per month.

Your Committee further recommends that the proper City officers execute MnDOT Agreement No. 27732, providing for City use of MnDOT under-bridge land from January 1, 2005 through December 31, 2009, at a rental rate of \$1,466.67 per month.

Adopted 3/11/05.

Absent - Lilligren.

T&PW & W&M/Budget - Your Committee, having under consideration Railroad Crossing Safety Projects at the intersections of the Soo Line Railroad track and Johnson St NE, McKinley St NE, and Benjamin St NE, now recommends passage of the accompanying Resolution:

a) Authorizing the addition of the above-mentioned projects to the 2005-2009 Five-Year Capital Improvement Program;

b) Increasing the appropriation and revenue in PW-Streets and Malls Capital by \$171,765 for the City's estimated share of construction and engineering costs, all to be reimbursed by the State of Minnesota from the United States Rail Road Crossing Safety Program Fund; and

c) Directing the proper City officers to negotiate and execute the required agreements for the above-mentioned projects.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-135, amending the 2005-2009 Five-Year Capital Improvement Program adding three railroad crossing safety projects, increasing the appropriation and revenue in PW-Streets and Malls Capital, and directing that the proper City officers negotiate and execute the required agreements, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-135
By Colvin Roy and Johnson

Amending the 2005-2009 Five-Year Capital Improvement Program.

Whereas, the City of Minneapolis, having been informed that the intersections at Johnson Street Northeast, Benjamin Street Northeast, and McKinley Street Northeast and railroad tracks owned and operated by the Soo Line Railway Company were selected by the State of Minnesota to be improved by the retrofitting of cants and circuitry at Johnson Street Northeast and McKinley Street Northeast and the removal of the intersection of Benjamin Street Northeast; and

Whereas, the City of Minneapolis' 2005-2009 Five-Year Capital Improvement Program did not include the above-mentioned work and project; and

Whereas, the City of Minneapolis has not appropriated any funds for the above-mentioned work; and

Whereas, the City of Minneapolis needs to authorize Public Works to enter into the agreements with the Commissioner of Transportation, Columbia Heights, and the Soo Line Railway Company;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the 2005 Capital Improvement Program be amended to add PV033 Railroad Crossing Safety Projects - Johnson, Benjamin, and McKinley Streets Northeast (Municipal State Aid (MSA) 141-183-012 and MSA 141-272-011) to the City of Minneapolis' 2005-2009 Five-Year Capital Improvement Program.

Be It Further Resolved that the appropriation in PW-Streets and Malls Capital (4100-937-9372-PV033) be increased by \$171,765 for the City's estimated share of construction and engineering costs to be reimbursed from the State of Minnesota Commissioner of Transportation, (Office of Freight,

Railroads and Waterways) from the United States Rail Road Crossing Safety Program Fund Account and revenue in Public Works Streets and Malls Capital (4100-937-9372-3210) be increased by \$171,765.

Be It Further Resolved that the proper City officers are hereby authorized to execute Agreement Number 84035 with the Commissioner of Transportation, (Office of Freight, Railroads, and Waterways) and the Soo Line Railway Company for construction costs for the above-mentioned project.

Be It Further Resolved that the proper City officers are hereby authorized to execute Agreement Number 84034 with the Commissioner of Transportation, (Office of Freight, Railroads, and Waterways), City of Columbia Heights, and the Soo Line Railway Company for construction costs for the above-mentioned project.

Be It Further Resolved that the proper City officers are hereby authorized to negotiate and execute an agreement with the Commissioner of Transportation, (Office of Freight, Railroads and Waterways), and the Soo Line Railroad Company for design and removal costs of the at grade intersection of the Railroad Line with Benjamin Street Northeast.

Adopted 3/11/05.

Absent - Lilligren.

T&PW & W&M/Budget - Your Committee, having under consideration the Minneapolis Ten-Year Transportation Action Plan, now recommends:

a) That the proper City officers be authorized to enter into a contract with the consultant team of Nelson-Nygaard, Meyer Mohaddes, and S.E.H. to complete the Action Plan, pending City Attorney review; and

b) That the proper City officers be authorized to enter into an agreement with the Minnesota Department of Transportation regarding funding participation for the Action Plan, pending City Attorney review.

Adopted 3/11/05.

Absent - Lilligren.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying Resolution approving bids submitted to the Public Works Department, all in accordance with City specifications (Petn No 270271).

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-136, granting approval for the bids of a) Midwest Diesel Service, Inc. for OEM Crane Carrier parts and service; b) Robert Innes, Jr., Scott Innes, Hugstad Vaa Contracting, and Ron L. Gunderson Concrete to furnish rental of skid steer loaders with operator; c) AVR, Inc. for ready-mix concrete; d) L.S. Constructors, Inc. to complete the Nicollet Mall Site Improvements, and e) Intex Corporation for the crushing of rubble concrete, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-136
By Colvin Roy and Johnson

Granting approval of the bids for projects and/or services for the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the following be accepted and that the proper City officers be authorized to execute contracts for the projects and/or services in accordance with City specifications and contingent upon approval of the Civil Rights Department. (Petn. No. 270271)

a) OP #6379, Accept low responsive bid of Midwest Diesel Service, Inc. for an estimated annual expenditure of \$125,000 to furnish and deliver OEM Crane Carrier parts and service as needed through February 28, 2006;

b) OP #6381, Accept low bids, as indicated below, to furnish rental of skid steer loaders with operator, as needed and called for through December 31, 2005, for a total estimated expenditure of \$199,600:

Robert Innes, Jr. - \$35.00/per hour rate

Scott Innes - \$37.50/per hour rate

Hugstad Vaa Contracting - \$39.75/per hour rate

Ron L. Gunderson Concrete - \$50.90/per hour rate;

c) OP #6384, Accept low bid of AVR, Inc. for an estimated annual expenditure of \$920,000 to produce, furnish, and deliver ready mix concrete;

d) OP #6388, Accept low bid of L.S. Black Constructors, Inc. in the amount of \$545,629.25 to furnish all labor, materials, equipment, and incidentals necessary to complete the Nicollet Mall Site Improvements; and

e) OP #6389, Accept low bid of Intex Corporation for an estimated annual expenditure of \$225,000 to furnish all labor, materials, equipment, and incidentals necessary for crushing of rubble concrete.

Adopted 3/11/05.

Absent - Lilligren.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing settlement of legal matters, as recommended by the City Attorney.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-137, authorizing settlement of the legal claims of Charles Halvorson and Dream Home Development, LLC, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-137

By Johnson

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of the following:

a) Charles Halvorson, by payment of \$3,750 to Mr. Halvorson and his attorneys Siefferman and Siefferman; and

b) Dream Home Development, LLC, by payment of \$18,000 for full and final settlement to Dream Home Development, LLC and its attorneys, Morrison Fenske & Sund (payable as \$9,000 from 6900 150 1500 8500 and \$9,000 from GENO 8921 340C1000).

Adopted 3/11/05.

Absent - Lilligren.

W&M/Budget - Your Committee recommends approval of a Utility Bill insert to be placed in the April billing, providing information on Housing Resource Center - a program of the Greater Metropolitan Housing Corporation that helps low and moderate income families with home revitalization.

Adopted 3/11/05.

Absent - Lilligren.

W&M/Budget - Your Committee recommends the appointment of Kevin L.A. Jenkins, 1416 Xerxes Av N, to the Minneapolis Telecommunications Network (MTN) Board of Directors (Council approval), for a term to expire January 15, 2009.

Adopted 3/11/05.

Absent - Lilligren.

W&M/Budget - Your Committee recommends approval of the executive summary of the collective bargaining agreement between the City of Minneapolis and the American Federation of State, County and Municipal Employees (AFSCME), 9-1-1 Unit, District Council #5, Local Union #9; and further recommends that:

a) The proper City officers be authorized to prepare and execute a 12 month collective bargaining agreement, for the period of January 1, 2005 through December 1, 2005, consistent with the terms of the executive summary; and

b) The Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 3/11/05.

Absent - Lilligren.

W&M/Budget - Your Committee recommends acceptance of the low bid received on O.P. #6352, from Norstan Communications, Inc. in the amount of \$5,502,128.11 to furnish, deliver and install PBX equipment to the Business Information Services (BIS) Department.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said service all in accordance with staff specifications and contingent on approval of the Civil Rights Department.

Adopted 3/11/05.

Absent - Lilligren.

W&M/Budget - Your Committee, having under consideration the Business Information Services (BIS) master contracts process, now recommends that the proper City officers be authorized to issue said master contracts for up to \$2,500,000 each over a five year period with technology providers that were selected through the State of Minnesota Request for Proposal (RFP) process.

Your Committee further concurs that no individual scope of work under these master contracts will exceed \$500,000 without formal City Council approval.

Adopted 3/11/05.

Absent - Lilligren.

W&M/Budget - Your Committee recommends passage of the accompanying resolution requesting the Board of Estimate & Taxation to issue and sell City of Minneapolis General Obligation Refunding Bonds, when sufficient savings can be achieved as determined by the proper City officers and in compliance with applicable Minnesota Statutes.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-138, authorizing issuance of General Obligation Refunding Bonds, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-138

By Johnson

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis general obligation refunding bonds to refund certain outstanding general obligation bonds of the City of Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis general obligation refunding bonds for the purpose of one or more current refundings of all or any portion of the following obligations of the City of Minneapolis: (i) the May 1994, \$2,670,000 General Obligation Improvement Bonds, Series 1994, \$2,535,000 remarketed in February 1996, call date of December 1, 2005, with \$1,205,000 in principal due 2006–2014, at rates from 4.60% to 5.20%; (ii) the June 1995, \$3,505,000 General Obligation Improvement Bonds, Series 1995, call date of December 1, 2005, with \$1,625,000 in principal due 2006–2015, at rates from 5.10% to 5.625%; (iii) the July 1993, \$62,105,000 General Obligation Refunding Bonds, Series 1993A, call date of December 1, 2005, with \$7,765,000 in principal due 2006–2011, at rates from 5.05% to 5.20%; and (iv) the July 1993, \$134,250,000 General Obligation Refunding Bonds, Series 1993B, call date of September 1, 2005, with \$65,895,000 in principal due 2006–2013, at rates from 5.05% to 5.20%.

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis general obligation refunding bonds for the purpose of one or more advance refundings of all or any portion of the following obligations of the City of Minneapolis: (i) the June 1996, \$2,315,000 General Obligation Improvement Bonds, Series 1996, call date of December 1, 2006, with \$1,000,000 in principal due 2007 – 2016, at rates from 5.20% to 5.70%; (ii) the June 1997, \$2,965,000 General Obligation Improvement Bonds, Series 1997, call date of December 1, 2007, with \$1,275,000 in principal due 2008 – 2017, at rates from 4.85% to 5.25%; (iii) the July 1999, \$16,150,000 General Obligation Parking Ramp Bonds, Series 1999B, call date of December 1, 2009, with \$12,975,000 in principal due 2010 – 2024, at rates from 4.80% to 5.125%; (iv) the July 1999, \$14,000,000 General Obligation Parking Ramp Bonds, Series 1999, call date of December 1, 2009, with \$9,050,000 in principal due 2010 – 2017, at rates from 4.80% to 5.125%; and (v) the November 2000, \$46,225,000 General Obligation Tax Increment Bonds, Series 2000E, relating to the 900 Nicollet Mall project, call date of March 1, 2009, with \$29,325,000 in principal due 2010 – 2026, at a rate of 5.00%.

That the general obligation refunding bonds of the City of Minneapolis shall be issued by the Board of Estimate and Taxation when it is advised as follows: (i) the Finance Officer of the City of Minneapolis has determined that sufficient savings can be achieved (based on minimum criteria established by the Finance Officer) as a result of each such series of refunding bonds; (ii) the Finance Officer has proposed the form, terms, covenants, structure, and directions of each series of general obligation refunding bonds to be issued; and (iii) the Finance Officer has structured each series of refunding bonds in such a manner as to avoid any negative impact on existing Council-approved workout plans. The Finance Officer shall report the results of each series of general obligation refunding bonds to the Council after the completion of the issuance of each such series of general obligation refunding bonds.

Adopted 3/11/05.

Absent - Lilligren.

The **WAYS & MEANS/BUDGET** and **ZONING & PLANNING** Committees submitted the following report:

W&M/Budget & Z&P - Your Committee concurs with the recommendation of the Minneapolis Arts Commission in approving the deaccession of the public artwork referred to as the Nesjar Ice Fountain, located on the Nicollet Mall between 5th and 6th Sts, to be donated to the City of Maplewood.

Your Committee further recommends that the proper City officers be authorized to execute a contract between the City of Minneapolis and the City of Maplewood for donation of the artwork. Should the City of Maplewood withdraw their request for the sculpture, the sculpture shall be removed and placed in storage.

Adopted 3/11/05.

Absent - Lilligren.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P - Your Committee, having under consideration the application of D. Carter, d/b/a Tradewinds Concepts, for a waiver from the moratorium on the construction of new single-family dwellings, two-family dwellings, and multiple-family dwellings of three or four units in the area of North Minneapolis bounded by W Broadway Ave and the Mississippi River to the City limits, except housing being developed in conjunction with the Community Planning and Economic Development Department, to permit applications for construction of a new single-family home at 1418 Vincent Ave N, now recommends that said waiver application be granted, as amended to reflect double-hung windows in lieu of the sliding casement windows as originally submitted, subject to the following conditions, and that the findings prepared by the Planning Department staff be adopted:

a) Provision of a window on the south side of the first floor for the front bedroom; provision of a window on the north side of the first floor for the living room; and provision of a window on the north side of the second floor in the master suite. These windows shall be in addition to the existing windows shown on the elevations and shall be similar in size and design;

b) The window on the second floor of the front façade shall be replaced with two windows of similar size to each other and spaced as shown on the elevations; and

c) Provision of skirting under the porch.

Adopted 3/11/05.

Absent - Lilligren.

Z&P - Your Committee, having under consideration the appeal filed by Scott Walters Construction and Robert Wengler from the decision of the Heritage Preservation Commission (HPC) which denied an application for Certificate of Appropriateness to replace the historic north side porch with a new porch of a non-historic design on the Amos B. Coe House, 1700 – 3rd Ave S, now recommends that said appeal be granted, notwithstanding the decision of the HPC, and that the Certificate be approved.

Adopted 3/11/05.

Absent - Lilligren.

Z&P – Your Committee recommends passage of the accompanying resolution approving the waiving of City Planning Commission review for certain real estate transactions that have no relationship to the City's Comprehensive Plan.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-139, waiving City of Minneapolis Planning Commission review of certain real estate transactions when it is found that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive municipal plan, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-139

By Schiff

Waiving Minneapolis Planning Commission review of certain real estate transactions.

Whereas, the City of Minneapolis (the "City") enters into a great number of real estate transactions on a regular basis; and

Whereas, Minnesota Statutes Section 462.356, subdivision 2, requires planning agency review of all City of Minneapolis real estate acquisitions, dispositions and capital improvements for consistency with the Minneapolis Comprehensive Plan ("Comprehensive Plan Review"); and

Whereas, the planning agency for the City is the Minneapolis Planning Commission (the "Planning Commission"); and

Whereas, the afore-referenced statute provides that the City Council may, by resolution adopted by two-thirds vote dispense with said planning agency review when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the Comprehensive Plan; and

Whereas, the requirement in Chapter 13, Section 4 of the City Charter for Planning Commission review is applicable only to public improvements and does not require review of land acquisitions and dispositions; and

Whereas, the City has an interest in saving unnecessary staff time on Planning Commission review of those real estate transactions that have no relationship to the Comprehensive Plan; and

Whereas, the Planning Commission has reviewed and recommended approval of this resolution;

Now Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That right-of-way transfers from the State of Minnesota to the City are not required to have Comprehensive Plan Review when there will be no change in the use of the right-of-way because such transfers involve a transfer of operational responsibility rather than a change in land use and have no relationship to the Comprehensive Plan.

2. That City acquisitions of real property for the purpose of blight removal when the purchase/acquisition price of the property is less than \$150,000 are not required to have Comprehensive Plan Review because such transactions are undertaken to achieve a public purpose not related to the Comprehensive Plan and any subsequent improvement or disposition of such real property will undergo the requisite Comprehensive Plan Review.

3. That City dispositions of Non-Buildable Parcels are not required to have Comprehensive Plan Review because such transactions are so insignificant that they have no effect on the Comprehensive Plan. For purposes of this Resolution, a "Buildable Parcel" is any parcel of real property that has enough frontage, width and/or area either by itself or when combined with other adjacent City-owned property to accommodate at least a single family home under the City's zoning ordinances after taking into consideration any variances or other relief available under such zoning ordinances, and a "Non-Buildable Parcel" is any parcel of real property that is not a "Buildable Parcel."

Adopted 3/11/05.

Absent - Lilligren.

Z&P— Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Gregory Peterson, with Peter's Billiards (BZZ-2134) to rezone the property at 6181 Aldrich Ave S from R5 to the C2 District to permit a retail store, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 3/11/05.

Absent - Lilligren.

Ordinance 2005-Or-018, amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 6181 Aldrich Ave S to the C2 District, was passed 3/11/05 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2005-Or-018

By Schiff

1st & 2nd Readings: 3/11/05

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of the South 125 feet of the West 175.37 feet lying north of the South 30 feet thereof, of the following described tract: all that part of the south 14 acres of Government Lot 1 in Section 21, Township 28, Range 24, lying easterly of a line described as follows: Beginning at a point on the south line of said Lot 340.37 feet west of the southeast corner of said Lot; thence North at right angles 280.78 feet to the beginning of a curve to the right having a radius of 32.36 feet; thence Northeasterly along the arc of said curve to the right 35.83 feet to the beginning of a curve to the left having a radius of 40 feet; thence Northeasterly and Northerly along the arc of said curve to the left to its intersection with the North line of the South 14 acres of said Government Lot 1, which point of intersection is 345.5 feet North of the South line of said Government Lot 1, as measured along the line parallel with the East line of said Government Lot 1 (6181 Aldrich Ave S – Plate 36) to the C2 District.

Adopted 3/11/05.

Absent - Lilligren.

Z&P – Your Committee recommends passage of the accompanying resolution rescinding Resolution No. 2004-324 entitled, “Vacating part of an ‘L-shaped’ alley in Block 4, Brackett and Bovey’s Addition to Minneapolis,” passed July 23, 2004, due to inaccurate legal description. This vacation resolution relates to the application of Chicago Commons Corporation (BZZ-1753; Vacation #1440) to develop property at 2401, 2409, 2413, 2417 Chicago Ave S and 2408, 2414 Elliot Ave S.

Your Committee further recommends passage of the accompanying resolution as amended to reflect the accurate legal description.

Adopted 3/11/05.

Absent - Lilligren.

RESOLUTION 2005R-140

By Schiff

Rescinding Resolution 2004R-324 entitled, “Vacating part of an “L-shaped” alley in Block 4, Brackett and Bovey’s Addition to Minneapolis,” passed July 23, 2004.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be and is hereby rescinded.

Adopted 3/11/05.

Absent - Lilligren.

Resolution 2005R-141, vacating part of an “L-shaped” alley in Block 4, Brackett, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-141

By Schiff

Vacating part of an “L-shaped” alley in Block 4, Brackett and Bovey’s Addition to Minneapolis (#1440).

Resolved by The City Council of The City of Minneapolis:

That all that part of the alley described as the North 14 feet of the South 39 feet of Lot 2, and that part of Lot 2 described as follows: Beginning at a point in the West line of said Lot 2, distant 15 feet North of the Southwest corner thereof; thence North along the West line of said Lot 2, a distance of 10 feet, thence East parallel with the South line of said Lot 2, a distance of 10 feet; thence Southwest to point

of beginning (Per Alley Easement Doc. 967222 & 951711). Also; all that part of the alley in Block 4, Brackett & Bovey's Addition located North of the following described line: From the southwesterly corner of Lot 4, Block 4, then 26 feet North, along the west line of Lot 4 to point of beginning; Thence 14 feet West, to the east line of Lot 7, Block 4, being 26 feet North of the southeast corner of Lot 7, Block 4, Brackett & Bovey's Addition, there terminating, is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy, their successors and assigns, to enter upon that portion of the aforescribed part of the public right of way alley in block 4, Brackett and Bovey's Addition to Minneapolis which is described in regard to retention of easement rights to each of the said corporation(s) as follows, to wit:

As to Xcel Energy, that easement rights in favor of Northern States Power Company dba Xcel Energy over that part of the North-South alley subject to the said location and located in Block 4, Brackett and Bovey's Addition to Minneapolis;

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said part of the public right of way alley in block 4, Brackett and Bovey's Addition to Minneapolis upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Adopted 3/11/05.

Absent - Lilligen.

Z&P – Your Committee concurs with the recommendation of the Minneapolis Arts Commission in approving the deaccession of the public artwork referred to as the Northeast Neighborhood Gateway, located at Central and Broadway Aves NE, due to its planned redesign and recreation.

Your Committee further recommends approval of the donation of restored individual elements of the original artwork to local Minneapolis community groups with the outlined contingencies set forth in Petn No 270282.

Adopted 3/11/05.

Absent - Lilligen.

Z&P – Your Committee, having under consideration a report of the Department of Community Planning & Economic Development redefining the relationship of the City to the Committee on Urban Environment (CUE), now recommends passage of the accompanying resolution amending the 1968 establishing resolution and related City Council actions.

Adopted 3/11/05.

Absent - Lilligen.

Resolution 2005R-142, amending the 1968 resolution establishing the Committee on Urban Environment (CUE) and related City Council actions by redefining the charge of the CUE, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-142

By Ostrow, Schiff

Amending the 1968 and related City Council actions establishing the Committee on Urban Environment (CUE).

Whereas, the Committee on Urban Environment was established by the Minneapolis City Council on February 9, 1968 in order to encourage the preservation and development of our natural and built environment; and

Whereas, subsequent Council actions on December 16, 1977, December 30, 1988 and July 28, 1989 made minor amendments to membership, appointment process and duties of CUE, and moved the responsibility for providing staff support for CUE from the City Coordinator to the Planning Department; and

Whereas, the City of Minneapolis has benefited greatly from the commitment and energy of CUE and its members throughout the years and expresses its appreciation to current and former members and volunteers of CUE; and

Whereas, the City Planning Commission, Heritage Preservation Commission, Zoning Board of Adjustment and the Minneapolis Arts Commission are established as City Boards and Commissions which are charged with the preservation and improvement of the historic, natural and built environments and other duties prescribed to CUE in the 1968 action; and

Whereas, the Committee on Urban Environment continues to celebrate our natural and built environment through the Minneapolis Blooms program, the CUE Awards and Arbor Day celebration and no other entity is charged with celebrating our urban environment; and

Whereas, personnel and financial resources available to CPED-Planning Division have been substantially reduced and the department is not financially able to support CUE with dedicated funding and personnel; and

Whereas, CPED-Planning supports the four Boards and Commissions described above;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis does hereby amend the charge to the Committee on Urban Environment to now read as follows: "The purpose of the Committee on Urban Environment shall be to celebrate our natural and built environment, cultural assets, parks and open spaces, and neighborhood projects and programs, which improve the quality of the environment and contribute to the livability of the City and to provide education and support for these efforts."

Be It Further Resolved that activities of CUE shall be consistent with this mission and shall further be consistent with the City's Comprehensive Plan, adopted City goals, and shall reflect the priorities outlined in the adopted Annual Business Plans of the appropriate City Departments. The charge to the Committee on Urban Environment shall be further amended to delete the eleven specific duties set forth in the action of February 9, 1968.

Be It Further Resolved that CUE restructure their membership to ensure representation of other design partners, including but not limited to University Design Center and the American Institute of Architects.

Be It Further Resolved that officers and employees of the City of Minneapolis are encouraged to cooperate with the Committee on Urban Environment in the accomplishment of this purpose to the extent possible within approved/existing departmental budgets.

Be It Further Resolved that the City Council direct appropriate staff to prepare amendments to the Commercial Buildings Rehab Loan Program [418-130 (11)] and Heritage Preservation Regulations [599.120 (c)] by deleting references to CUE in those sections.

Adopted 3/11/05.

Absent - Lilligren.

MOTIONS

Johnson moved that the regular payrolls for all City employees under City Council jurisdiction for the month of April 2005 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted upon a voice vote 3/11/05.

Absent - Lilligren.

Schiff moved to set the date of the grand re-opening of the newly expanded 3rd Precinct for Saturday, May 21, 2005. Seconded.

Adopted upon a voice vote 3/11/05.

Declining to vote - Zerby.

Absent - Lilligren.

Colvin Roy moved to discharge the Transportation & Public Works Committee from further consideration of the City Attorney's five-year lease for office space. Seconded.

Adopted upon a voice vote 3/11/05.

Absent - Lilligren, Johnson Lee.

Colvin Roy moved to approve the staff recommendation that the proper City officers be authorized to execute a new five-year lease for the City Attorney's Office at its current location in the Accenture Building, 333 South 7th Street, for an amount not to exceed \$2,850,000. Seconded.

Adopted 3/11/05.

Absent - Lilligren, Johnson Lee.

Schiff moved that a Public Hearing be held by the Planning Commission on April 11 to consider the following: An Ordinance amending Title 20, Chapter 548, Table 548-1, of the Minneapolis Code of Ordinances relating to *Zoning Code: Principal Uses in the Commercial Districts* (allowing antiques and collectibles stores as a permitted use in the C1 zoning district). Seconded.

Adopted upon a voice vote 3/11/05.

Absent - Lilligren.

UNFINISHED BUSINESS

David O'Brien (4525 Hiawatha Ave S):

Passage of Ordinance to rezone property to permit a pet store & other retail uses (Postponed 2/11/05).

Schiff moved that the report be referred back to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote 3/11/05.

Z&P - Your Committee concurs in the recommendation of the Planning Commission in granting the application of the City of Minneapolis (#1420) to vacate E 37th St between Chicago and Columbus Aves, required as part of a land exchange between the City of Minneapolis and the Spiritual Assembly of Baha'i for construction of a stormwater retention pond, subject to retention of easement rights, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said street.

Adopted 3/11/05.

Absent - Lilligren, Johnson Lee.

Resolution 2005R-143, vacating a portion of East 37th Street between Chicago and Columbus Avenues South, was passed 3/11/05 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2005R-143

By Schiff

Vacating a portion of East 37th Street (Vacation #1420)

Resolved by The City Council of The City of Minneapolis:

That all that part of the public street described as the east 145.54 feet of 37th Street East lying between the south line of Lots 6 and 7, Block 1, George W. Small's Subdivision of Lot 2, Elisha Morses and the north line of Lots 1 and 24, Block 1, Irving A. Dunsmoor's Addition to Minneapolis is hereby vacated except that such vacation shall not affect the existing easement right and authority of the City of Minneapolis Public Works Department and Xcel Energy their successors and assigns, to enter upon that portion of the aforescribed street which is described in regard to said corporation as follows, to wit:

As to Xcel Energy: The north 10.00 feet of the easterly 145.54 feet of that part of vacated 37th Street East, lying West of the west right of way line of Chicago Avenue South, and East of Columbus Avenue South;

As to the City of Minneapolis Public Works Department: A sewer maintenance easement over the entire length (145.45 feet) and width (66 feet) of vacated East 37th Street; to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations and the City of Minneapolis, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporations and the Director of Public Works of the City of Minneapolis having utility facilities located within the area involved authorizing them to do so.

Where the area described above in regard to any of the other corporations, or any part thereof lies within the area described above in regard to the City of Minneapolis, the rights reserved to the other corporation or corporations shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if this street had not been vacated.

Adopted 3/11/05.

Absent - Lilligren, Johnson Lee.

NEW BUSINESS

Benson moved to adjourn to Room 315 City Hall to consider the Wiggins v. City of Minneapolis, et al. lawsuit. Seconded.

Adopted upon a voice vote 3/11/05.

Room 315 City Hall

Minneapolis, Minnesota

March 11, 2005 - 10:30 a.m.

The Council met pursuant to adjournment.

President Ostrow in the Chair.

Present - Schiff, Zerby, Niziolek, Benson, Goodman, Lane, Samuels (In at 10:41 a.m.), Johnson, Zimmerman (In at 10:39 a.m.), Ostrow.

Absent - Lilligren, Johnson Lee, Colvin Roy.

Also present - Peter Ginder, Deputy City Attorney; James Moore, Assistant City Attorney; Steven Ristuben, Assistant City Clerk; and Jackie Hanson, City Clerk's Office.

Moore stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the Wiggins v. City of Minneapolis, et al. lawsuit.

At 10:34 a.m., Benson moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Moore summarized the Wiggins v. City of Minneapolis, et al. lawsuit from 10:34.m. to 11:05 a.m.

At 11:05 a.m., Zimmermann moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Zimmermann moved that the City Attorney be authorized to settle the case of *Rayma Wiggins and Gayna Wiggins v. City of Minneapolis, et al.*, Hennepin County District Court File No.: 04-002690, in the amount of \$355,775.83, payable from Fund/Org. 6900-150-1500-4000; and that the City Attorney's Office be authorized to execute any documents necessary to effectuate the settlement. Seconded.

Adopted 3/11/05.

Absent - Lilligren, Johnson Lee, Colvin Roy.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Benson moved to adjourn. Seconded.

Adopted by unanimous consent.

Steven J. Ristuben,
Assistant City Clerk.

Unofficial posting: 3/14/2005
Official posting: 3/18/2005
Corrected: 3/31/2005
5/17/2005